

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**CAMILLE CURTIS, individually, and  
as surviving mother of deceased  
DAVION MIKEAL HENDERSON,**

**Plaintiff,**

**v.**

**CITY OF ST. LOUIS, MISSOURI, and  
MATTHEW SHAW, in his individual  
capacity,**

**Defendants.**

**Case No. 4:17-CV-02602-NCC**

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendants City of St. Louis, Missouri and Matthew Shaw’s (collectively “Defendants”) Motion for Judgment on the Pleadings on Counts I and III of Plaintiff’s First Amended Complaint (Doc. 16). Plaintiff Camille Curtis, individually, and as surviving mother of deceased Davion Mikeal Henderson, (“Plaintiff”) filed a Response and Cross-Motion for Leave to File Second Amended Complaint<sup>1</sup> (Doc. 18). Defendants did not file a reply brief. Because Plaintiff acknowledges the defects in her First Amended Complaint, the Court finds that, in the interests of justice, Plaintiff should be allowed to amend her complaint.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff’s Cross-Motion for Leave to File Second Amended Complaint (Doc. 18) is **GRANTED**. The Clerk of Court shall detach and docket Plaintiff’s Second Amended Complaint, filed as an attachment to Plaintiff’s Response and Motion (Doc. 18-3).

---

<sup>1</sup> The Court notes that all motions should be filed separately from any substantive response.

**IT IS FURTHER ORDERED** that Defendants' Motion for Judgment on the Pleadings on Counts I and III of Plaintiff's First Amended Complaint (Doc. 16) is **DENIED, without prejudice, as moot.**

Dated this 23rd day of March, 2018.

/s/ Noelle C. Collins  
NOELLE C. COLLINS  
UNITED STATES MAGISTRATE JUDGE